

yAO 245 S av. 4/90)(MD/AL. rev. 5/27/92) Sheet 1 - Judgment in a Criminal Case

FILED

UNITED STATES DISTRICT COURT
Middle District of Alabama
Northern Division

OCT 27 1994

THOMAS C. CAVER, CLERK
BY **DEPUTY CLERK**

UNITED STATES OF AMERICA

v.

Case Number CR 93-00310-001

ROSA MAE SMILEY WILLIAMS

05-406

Defendant.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, ROSA MAE SMILEY WILLIAMS, was represented by STEPHEN R. GLASSROTH.

The defendant pleaded guilty to Count I. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC § 846	Violation of the Controlled Substances Act	12/08/93	I

As pronounced on September 19, 1994, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the Clerk, United States District Court, a special assessment of \$50.00, for Count I, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 27th day of October, 1994.


United States District Judge

Defendant's SSAN: 268-62-9155
Defendant's Date of Birth: February 3, 1942
Defendant's address: Rt. 1, Box 61, Ebenezer Road; Laurel Hill, FL 32567

EOD 10-27-94

AO 245 S (Rev. 4/90)(MD/AL rev. 5/27/92) Sheet 2 - Imprisonment

Judgment--Page 2 of 5

Defendant: ROSA MAE SMILEY WILLIAMS
Case Number: CR 93-00310-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of Life.

The defendant is to stand committed for service of this sentence this date.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: ROSA MAE SMILEY WILLIAMS
Case Number: CR 93-00310-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of ten (10) years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If ordered to the custody of the Bureau of Prisons, the defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release according to a schedule to be determined by the Probation Officer.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall submit to a drug test when ordered to do so by a Probation Officer. If determined necessary by the Probation Officer, the defendant shall participate in a substance abuse treatment program as directed by the Probation Officer.
5. The defendant shall provide the Probation Officer access to any requested financial information.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this Judgment:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances.
- 8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant: ROSA MAE SMILEY WILLIAMS
Case Number: CR 93-00310-001

Judgment--Page 4 of 5

RESTITUTION AND FORFEITURE

FORFEITURE

The defendant is ordered to forfeit the following property to the United States:

The following property belonging to Defendant Rosa Mae Williams:

All that parcel of real property described as follows, together with all appurtenances thereto, improvements thereon, mobile homes, furnishings and fixtures; Begin at the Southeast corner of the Southwest Quarter of the Northwest quarter, go West 420 feet, North 640 feet, East 210 feet, South 210 feet, East 210 feet, South 420 feet to Point of Beginning. Containing 5 acres, more or less.

All that parcel of real property described as follows, together with all appurtenances thereto, improvements thereon, mobile homes, furnishings and fixtures; Begin at the Northwest corner of the South One-half of the Southeast Quarter of the Northwest Quarter, go East 170 yards, South 170 yards, West 170 yards, North 170 yards to Point of Beginning. Containing 6 acres, more or less.

The two above listed parcels lying and being situated in Section 32, Township 6 North, Range 22 West, Okaloosa County, Florida.

All that parcel of real property described as follows, together with all appurtenances thereto, improvements thereon, mobile homes, furnishings and fixtures; Start at the Southeast corner of the Northwest Quarter of the Southwest Quarter of Section 32, Township 6 North, Range 22 West, for Point of Beginning of tract herein contained, thence run West 723 feet, thence North 723 feet, thence run East 723 feet, thence run South 723 feet to Point of beginning, all being in the Northwest Quarter of the Southwest Quarter of Section 32, Township 6 North, Range 22 West, Okaloosa County, Florida, according to survey of T.W. Coleman of Crestview, Florida. (LESS AND EXCEPT the North 33 feet of East 531 feet and Less and Except 63 feet square in Northwest corner thereof.)

Bank Accounts with SouthTrust Bank of Covington County, numbers 03241513; 02062682; and Certificates of Deposit with SouthTrust Bank of Covington County number 6839529.

Any right to the contents of the safety deposit box at SouthTrust Bank of Covington County numbered 455;

Any rights to and ownership in the below listed vehicle:

1987 Pontiac Firebird, VIN: 1G2FW2189HL226867

Defendant: ROSA MAE SMILEY WILLIAMS
Case Number: CR 93-00310-001

STATEMENT OF REASONS

The Court adopts the factual findings and guideline application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	46
Criminal History Category:	VI
Imprisonment Range:	Life
Supervised Release Range:	10 years
Fine Range:	\$ 25,000 to \$ 8,000,000.00
Restitution:	Not Applicable

The fine is waived or is below the guideline range because of the defendant's inability to pay.

The Court finds that there is no identifiable victim who incurred a financial loss as a result of this offense and, therefore, declines to order restitution.

The sentence is imposed at Life based upon the Total Offense Level of 46 and the Criminal History Category of VI. Because the defendant has breached the terms of her plea agreement with the Government, the Government has not filed a motion for downward departure pursuant to USSG § 5K1.1. However, the Government reserves the right to file a motion for downward departure at a later date, pursuant to 18 U.S.C. § 3553(e).

The Court finds that the sentence imposed is consistent with the factors stated at 18 U.S.C. § 3553(a) to be considered in imposing a sentence.